



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
PECFA BUREAU
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<http://www.commerce.state.wi.us>
<http://www.wisconsin.gov>

Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

Bid Round Number: 36
Comm Number: 54656-2445-04-A
BRRTS Number: 03-42-234992
Site Name: Rasmussen Building
Site Address: 604 E Wisconsin St Sparta WI

Project Manager: Kitt Siegfried
Project Manager address: PO Box 4001 Eau Claire WI 54702-4001
Project Manager phone: 715-839-2781
Project Manager e-mail address kitt.siegfried@dnr.state.wi.us

Bid Announcement Date	2/28/2005
Questions or requests for information must be submitted in writing and received by:	3/14/2005 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	4/1/2005
Bid End Date and Time:	4/15/2005 by Noon

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

Department of Natural Resources, 1300 W Clairemont, Eau Claire WI

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager.

Quality Quick Print, 1213 Menomonie St, Eau Claire WI 54703

Phone: 715-836-0049

Fax: 715-836-7704

SECTION 2 – Site-Specific Bid Specification Requirements:

A) Project Manager Comments

) General Comments:

The site was a gas/service station from ~1939 to the late 1980's. Five 500-gallon UST's were removed in the mid-80's (three leaded, one diesel, and one unleaded). The building on-site is currently used as offices, sport/bait shop, and an auto body shop.

In 1999 the DOT found contamination while working on the Farmers Valley Creek Bridge, located 250' north of the site. 100 cy of contaminated soil was removed from that location.

An investigation began in 2000. Seven monitoring wells and one piezometer were installed. Three of the MW's have had free product, which spans from MW-1 (at the source), to MW-5 (the well nearest to Farmers Valley Creek, which is a Class I Trout Stream). Based on the investigation results, detected contaminated soils are limited to the smear zone (including soils in the locations of the former USTs). The geology consists mainly of very fine to medium-grained sand from the surface to 40'. No bedrock was encountered. The water table ranges from 11.5' to 18.5' and flow direction is west-northwest. There are utility services in the immediate vicinity of the free product area.

The site is located along East Avenue, which is a major thoroughfare across the La Crosse River. Bidding contractors should be aware that this may require special permits and/or drill time restrictions.

A site map is provided on the Commerce bid web site.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☐ Documented expansion of the plume margin.
- ☐ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- ☐ Contamination within bedrock or within 1 meter of bedrock.
- ☒ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☒ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

Activities under this work scope should commence within 2 months after obtaining a signed contract.

Install four 4-inch diameter free product sump wells with 15-foot screens in the areas of measured free product. Install one adjacent to G-16, one approximately 50' upgradient from G-16 (same side of East Ave.), one upgradient of MW-8 adjacent to G13, and one 25' southwest of G-5. The wells shall be installed deep enough that there is approximately 10 feet of water column. For the off-site sumps

bidders shall assume off-site access and/or city permits will be required. Bid costs shall include all waste disposal, development, and survey costs.

Conduct sampling of the vadose zone soils during sump install near G-5. Bidders shall assume two PVOC plus naphthalene and lead samples for analysis.

Conduct free product/contaminated groundwater pumping events every six weeks for 18 months using a vacuum truck from all four free product sump wells. During each pumping event each sump well shall be pumped at least three times following recovery of the water/product column (a total of 3 pumpings per well per event) to within one foot of the pre-pump levels. Measure water levels and free product thickness (using a product/water interface probe) in all sump wells prior to and immediately following the pumping event. The frequency and/or duration of the product pumping may be reduced if the WDNR Project Manager grants approval. However, for the purposes of the bid, the frequency and method of the pumping event shall be assumed for the full duration of the work scope (for the purposes of the bid, bidders shall assume 12 pumping events as specified above). Also, bidders should assume removal of 150 gallons of contaminated groundwater/free product per sump well per event (i.e., 600 gallons total per round). Consequently, bidders shall assume extraction and disposal of 7,200 gallons. In addition, the bidder must include on page three of their bid response, a per gallon unit disposal cost (commodity cost only) to be used to adjust the cap in the event that a volume significantly more or less is actually removed and disposed. (In the event that more free product/groundwater is removed than anticipated by the bid amount, no additional consultant costs will be provided).

Conduct a detailed assessment of vapor migration risk to the two residences north of the source property, the Brenengan car dealership across East Ave. from the site, and the building on the source property. The assessment shall include but not be limited to site visits to assess and document potential vapor migration access points (condition of foundations, presence of basement sumps, PID measurements, utility access points, landowner or tenant interview, etc.) Include the information from this assessment in the first semi-annual report.

Concurrent with the sump well pumping described above, conduct groundwater sampling for 6 quarterly rounds (18 months) based on the following schedule:

Well	Quarterly	Annually
MW-1, MW-2, MW-3, MW-5, MW-8, and surface water samples at SW-1, SW-2, and SW-3	X	
MW-6, MW-7, PZ-4		X

Collect the groundwater samples from the applicable monitoring wells before any sump well pumping, if the pumping is conducted concurrently with the groundwater monitoring mobilization.

Collect groundwater samples from monitoring wells including those with free product (after measuring and removing the free product and purging the well). In such an event bidders are encouraged to use bottom discharge sampling devices in conjunction with bailers. Monitoring shall include analyses for PVOCs plus naphthalene and lead for all six rounds. Water level elevations shall be measured at

every monitoring well listed in this bid specification during each of the sampling events.

Inspect the creek by the Farmers Valley Creek Bridge during each six-week site visit. Inspect the bank slope in the area of the plume for seeps and collect a grab sample for analysis of PVOCs plus naphthalene, if a seep is found. Collect three surface water samples from the creek. For the purposes of the bid, bidders shall assume three seep samples will be collected for analysis.

All contaminated material generated at this site as part of the bid scope of work must be properly stored and disposed/treated in accordance with State regulations.

Semiannual progress reporting shall be submitted in accordance with s. NR 724.13(3), Wis. Adm. Code, using Form 4400-194, on a semiannual basis. These reports shall include tabulated sump pumping results, groundwater sample results, maps of groundwater flow, waste disposal documentation, well installation documentation, etc. A copy of each of the semi-annual reports shall be sent to Commerce.

Following submittal of the 3rd semiannual progress report the consultant shall submit a Remedial Action Options Report (RAOR) for DNR approval (and copy Commerce). However, prior to compiling the RAOR, the contractor will arrange and attend a meeting with the DNR project manager and Commerce counterpart (at the DNR office in Eau Claire) to discuss a planned outline (preliminary indication) for the RAOR document and obtain agency concerns and comments concerning the RAOR. The cost for this meeting shall be provided on page 3 of the bid response under the semi-annual reporting costs. The meeting shall take place no later than 30 days following submittal of the 3rd semi-annual progress report.

The RAOR shall meet the requirements of NR 722. It should assess the following active treatment technologies: air sparge/soil vent, in situ chemical treatment, dual phase extraction, and any other applicable technologies. It should assess the results of the sump well pumping and additional groundwater sampling conducted under the bid cap described above, and should also assess a non-active, excavation method. The RAOR shall address the site-specific risks and limitations associated with (but not limited to) nearby structures and utility lines. The RAOR shall address relative effectiveness by (but not limited to) contrasting volumes accessible to treatment versus inaccessible volumes. In the case of the preferred or recommended remedial method, the RAOR shall provide sufficient detail (e.g. numbers and location of remedial wells, location of remedial shed, necessary system components, duration of operation, etc.) to allow the preparation of a detailed remedial bid specification. The final RAOR document must also be signed by a Registered Professional Engineer (with seal) and documentation to this effect shall be provided at the time of the initial RAOR planning meeting. Furthermore, on page one of the bid response bidders shall identify who will likely be fulfilling this obligation. Failure to provide an indication may result in a non-compliant bid response.

Bidders should be aware that the contractor submitting the RAOR shall be prepared to receive follow-up comments and concerns from the DNR project manager (with Commerce input) within 15 days of receipt of a Draft RAOR. The contractor shall then provide a revised document that addresses agency

comments and concerns, and the DNR project manager shall indicate whether the document is final (within 15 days).

The cost of the RAOR submittal and revisions shall be provided on page 3 of the bid response and it will be included in the evaluation of the winning bid. However, the cost of the RAOR will not be included in the initial cost cap. The cap will be modified for the bid RAOR line item amount when a final RAOR has been approved by the DNR project manager.

Bidders shall provide line item costs for the activities listed above in the table provided on the 3rd Page of the Bid Response. If a completed 3rd page is not included with the Bid Response, the Bid Response will be determined to be non-responsive. The winning bidder will not be allowed to move costs between the scope of work items without prior Commerce approval.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
 - a) The detailed description may include, but is not limited to the following:
 - Technologies
 - Estimated years of operation
 - Estimated tons of soil
 - Approximate geometry/depth of excavation
 - Reporting details
 - Estimated years of monitoring
 - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be successful, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications – If Applicable:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure
Closure with a NR 140 exemption
Closure with GIS Registry*
Closure with deed notice*
Closure with deed restriction*
Closure with NR 720.19 soil standards

Performance based NR 720.19 closure
Closure with site-specific conditions
Closure under NR 726.07
Closure under Comm 46/NR 746
Mass reduction

** **Note:** PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant

mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve a specified work scope, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Rasmussen Building
COMMERCE NUMBER: 54656-2445-04
BRRTS NUMBER: 03-42-234992

Submit Bid To: Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone: () - _____
Fax Number: () - _____
e-mail Address: _____

Bidder: (check one that applies):

_____	Professional Engineer	_____	License #
_____	Professional Geologist	_____	License #
_____	Hydrologist	_____	License #
_____	Soil Scientist	_____	License #

Seal

Signature: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Bid Cost \$ _____

Total Consulting Cost (subpart of Total Bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Rasmussen Building

COMMERCE NUMBER: 54656-2445-04

BRRTS NUMBER: 03-42-234992

Consulting Firm phone number () ____-____

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.* The pages of each Bid Response must be ***stapled*** together. No paper clips or spiral bindings please.

BID RESPONSE

(3rd Page)

Department of Commerce PECFA Program

SITE NAME: Rasmussen Building

COMMERCE NUMBER: 54656-2445-04

BRRTS NUMBER: 03-42-234992

Consulting Firm phone number () ____-____

A bid will be considered to be non-responsive if the bid response does not include separate tabulation of costs as indicated below.

Install product sump wells (includes but not limited to access agreements, permits, development, survey, waste disposal and soil sampling).

\$ _____

Twelve sump well free product/contaminated groundwater pumping events (includes but not limited to measurements, disposal, and creek bank inspections and sampling). For the purposes of the bid, bidders shall assume disposal of 7,200 gallons of a product/contaminated groundwater mixture

\$ _____

Six quarterly rounds of groundwater sampling, vapor migration assessment, and associated waste disposal.

\$ _____

Three semi-annual progress reports and initial meeting with DNR and Commerce to discuss RAOR plan.

\$ _____

Submit Draft RAOR, obtain and incorporate revisions (as necessary) and submit Final RAOR.

\$ _____

Total Bid Amount (sum) → also include on Page 1 of bid response

\$ _____

Contingency cost for additional free product/contaminated groundwater disposal (commodity cost only) (\$/gallon)

\$ _____